

New trial set after mistrial declared over dad's outburst

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By Kristin M. Kraemer, Herald staff writer

A 20-year-old man accused of injuring five people in a December 2004 shooting got a new trial date Tuesday, less than a week after the first one ended in a mistrial because of his father's obscenity-laced rant near the jury.

Torrance Cornelius Stratton's first trial quickly ended in less than two days after complaints about the jury's racial makeup.

Stratton is black, yet no black jurors were picked for jury service in Franklin County Superior Court's random selection process.

His relatives, in particular Stratton's father, Andre, cursed and spoke out about the issue in the hallway as the jurors were leaving court Dec. 7, according to documents. Extra police officers and sheriff's deputies were called in to escort the jurors to their cars.

Judge Robert Swisher decided to declare a mistrial and excuse the jurors before opening statements had even been given.

Tuesday, Andre Stratton stood up in the gallery and asked Swisher if he could say something.

"I just want to apologize for the outburst I had last week in the courtroom," he said.

Torrance Stratton, charged with five counts of first-degree assault, is scheduled for trial Feb. 1.

The Kennewick man was at a West Margaret Street party Dec. 12, 2004, with two friends when they got into a fight with others and were kicked out. They allegedly returned a little while later and Stratton and Luis Carlos Ramos allegedly opened fire on the party-goers.

Ramos has a warrant issued for his arrest.

Monya Townsend of Pasco was sentenced to 10 months in jail earlier this year for his guilty plea to having a gun in his trunk after the shooting.

In other court news:

A 45-year-old man allegedly opened a store credit line using another man's identity, then bought more than \$3,500 in furniture.

Marc R. Graham is charged with first-degree identity theft. He pleaded innocent and is set for trial March 1.

According to court papers, two women and a man stopped by Pasco's Mexi Muebles on Oct. 28 and each tried to apply for a line of credit but were denied.

About three days later, the man returned with Graham to the 104 S. Fourth Ave. store. Graham filled out a credit application under the name Eric Degerman, was accepted and left with his new furniture, papers said.

It was only when the real Eric Degerman, the Tri-City Herald's online managing editor, got a letter in the mail Nov. 4 from Wells Fargo thanking him for opening the \$6,000 credit line that he realized someone had used his identity. He asked for the account to be closed and called police, court papers said.

Pasco Detective Scott Warren tracked down the men and women and, during a Nov. 30 search of a Kennewick home, found the stolen furniture, court papers said. Graham reportedly was later identified and arrested. He is out of jail after posting \$1,500 bail.

n A woman who was caught with 280 counterfeit DVDs at the Pasco Flea Market entered a modified guilty plea, saying she did not know they were unauthorized recordings.

"I plead guilty because I committed a crime due to ignorance," Juana Espinoza Azcarate told the court with the aid of a Spanish-speaking interpreter.

Azcarate entered an Alford plea to a gross misdemeanor charge of failing to disclose the origin of certain recordings. The Alford plea means she denied committing the crime but believed prosecutors had enough evidence to convict her.

Defense attorney Sam Swanberg said his client has been adamant with him since the outset of the case that she did not steal the movies. Azcarate, who has lived in the country for more than 10 years, attributes some of the misunderstanding to the fact she doesn't speak English, he said.

"I did not know that they were not originals," she said.

But Deputy Prosecutor Tim Dickerson said Azcarate asked the market operator if she could sell the DVDs, which documents say didn't have the name and address of the manufacturer "in a prominent place on the cover, jacket or label of the recording."

Azcarate was sentenced to 364 days in jail with all of the time suspended, the same time granted to three co-defendants last week.

n A Spokane woman pleaded innocent to charges she tried slipping her imprisoned boyfriend marijuana during a visit at Coyote Ridge Corrections Center.

Lacy Shea Wood, 30, faces a March 1 trial on one count of second-degree introducing contraband. She was meeting with Menlias J. Powell at the Connell facility when she reportedly removed something from the front of her shirt and dropped it into a juice bottle. She then handed the bottle to Powell, court documents said.

A corrections sergeant took the bottle from Powell and found four small balls wrapped in clear plastic floating in the juice, documents said.